

---

SCOTTISH STATUTORY INSTRUMENTS

---

**2008 No. 359**

**LOCAL GOVERNMENT**

**The Business Improvement Districts  
(Scotland) Amendment Regulations 2008**

*Made* - - - - *5th November 2008*  
*Laid before the Scottish*  
*Parliament* - - - - *6th November 2008*  
*Coming into force* - - *1st January 2009*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 46 of the Planning etc. (Scotland) Act 2006<sup>(1)</sup> and all other powers enabling them to do so.

**Citation and commencement**

1. These Regulations may be cited as the Business Improvement Districts (Scotland) Amendment Regulations 2008 and come into force on 1st January 2009.

**Amendment of the Business Improvement Districts (Scotland) Regulations 2007**

2. In regulation 5(2)(a) (BID proposals, renewal proposals, alteration proposals and preliminary procedures) of the Business Improvement Districts (Scotland) Regulations 2007<sup>(2)</sup>, after “send to” insert “the Scottish Ministers,”.

3.—(1) Schedule 2 (rules for bid ballots, renewal ballots and alteration ballots) to those Regulations is amended as follows.

(2) In the table in paragraph 1, omit the entry commencing “The BID proposer gives notice” and the corresponding entry in the “Time” column.

(3) In paragraph 10(2) renumber sub-paragraphs (b) and (c) as (a) and (b) respectively.

(4) In paragraph 11(2)—

(a) omit “later than the date that is 3 working days”; and

(b) omit “he”.

---

(1) 2006 asp 17.

(2) S.S.I. 2007/202, to which there are amendments not relevant to these Regulations.

---

**Status:** *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

---

St Andrew's House,  
Edinburgh  
5th November 2008

*JOHN SWINNEY*  
A member of the Scottish Executive

---

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Business Improvement Districts (Scotland) Regulations 2007 (“the 2007 Regulations”). Schedule 2 to the 2007 Regulations sets out rules and procedures for holding business improvement district ballots, renewal ballots and alteration ballots.

Regulation 2 includes the Scottish Ministers amongst those who require to be copied into the documents listed in regulation 5(2)(a) of the 2007 Regulations.

Regulation 3(2) provides for the deletion of a section of the timetable governing the proceedings of the ballot. The amendment removes an inconsistency with regulation 4 of the 2007 Regulations, which makes provision in relation to the timing of the notice of intention to ask the local authority to put the BID proposals to a ballot.

Regulation 3(3) corrects minor numbering errors.

Regulation 3(4)(a) amends paragraph 11(2) of Schedule 2 to the 2007 Regulations, which provides that if, on receipt of a spoilt ballot paper, the ballot holder is satisfied as to the voter’s identity, the ballot holder shall issue another ballot paper. The amendment removes the restriction on issuing that ballot paper earlier than 2 working days before the ballot date.

Regulation 3(4)(b) corrects a minor typographical error.